

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

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INTELLECTUAL PROPERTY LAW
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CENTRAL FAX CENTER**FACSIMILE COVER SHEET****APR 25 2006**

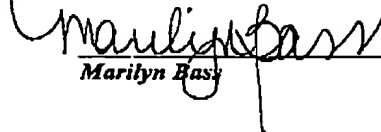
Deliver to: Meonske, Tonia L., USPTO Art Group: 2183
 Facsimile No.: (571) 273-8300 Date: April 25, 2006
 From: Joseph Lutz, Reg. No. 43,765
 Our Docket No.: 42390P11933 Number of pages 15 including this sheet.
 Application No.: 09/992,881 Filing Date: 11/5/2001
 Docket Due Date(s): 4/25/2006

Enclosed are the following documents:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Amendment: <u>After Final</u> (<u>11</u> pgs) | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Appeal Brief (<u> </u> pgs) | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Application: <u> </u> | <input type="checkbox"/> Petition for: <u> </u> |
| (<u> </u> pgs) w/cover & abstract | <input type="checkbox"/> Request for Continued Examination (RCE) |
| <input type="checkbox"/> Assignment & Cover Sheet (<u> </u> pgs) | <input type="checkbox"/> Reply Brief (<u> </u> pgs) |
| <input checked="" type="checkbox"/> Certificate of <u>Facsimile</u> | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i) |
| <input type="checkbox"/> Continued Prosecution Application (CPA) | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request |
| <input type="checkbox"/> Declaration & POA (<u> </u> pgs) | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Drawings: <u> </u> sheets, <u> </u> figures | <input type="checkbox"/> Response to Written Opinion (<u> </u> pgs) |
| <input type="checkbox"/> Extension of Time: <u> </u> | <input type="checkbox"/> Terminal Disclaimer |
| <input checked="" type="checkbox"/> Fee Transmittal (in duplicate) | <input type="checkbox"/> Transmittal of Publication Fee Due |
| <input type="checkbox"/> IDS & PTO/SB/08 (<u> </u> pgs) | <input checked="" type="checkbox"/> Transmittal Letter |
| <input type="checkbox"/> Other <u> </u> | |

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)

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 Marilyn Bass

4/25/2006

Date

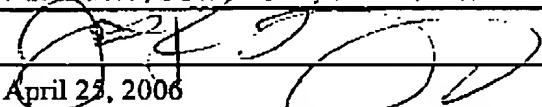
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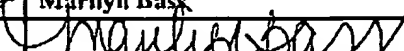
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APR 25 2006

| | | | |
|--|----|------------------------|--------------------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | | Application No. | 09/992,881 |
| | | Filing Date | November 5, 2001 |
| | | First Named Inventor | Christopher B. Wilkerson |
| | | Art Unit | 2183 |
| | | Examiner Name | Meonske, Tonia L. |
| Total Number of Pages in This Submission | 14 | Attorney Docket Number | 42390P11933 |

| ENCLOSURES (check all that apply) | | |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">Facsimile transmission</div> |
| Remarks | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual name | Joseph Lutz, Reg. No. 43,765 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP |
| Signature |  |
| Date | April 25, 2006 |

| CERTIFICATE OF MAILING/TRANSMISSION | | | |
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| Typed or printed name | Marilyn Bass | | |
| Signature |  | Date | April 25, 2006 |

Based on PTO/SB/21 (00-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/1) 11/30/2005.
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22303-1450

APR 25 2006

**FEE TRANSMITTAL
for FY 2005***Patent fees are subject to annual revision.*☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

| | |
|----------------------|--------------------------|
| Application Number | 09/992,881 |
| Filing Date | November 5, 2001 |
| First Named Inventor | Christopher B. Wilkerson |
| Examiner Name | Meonske, Tonia L. |
| Art Unit | 2183 |
| Attorney Docket No. | 42390P11933 |

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☒ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee


☒ Charge any additional fee(s) or underpayment of fee(s) ☐ Credit any overpayments

under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

FEE CALCULATION

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|---------------------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet. | |
| 2053 | 130 | 2053 | 130 | Non-English specification | |
| 1251 | 120 | 2251 | 60 | Extension for reply within first month | |
| 1252 | 450 | 2252 | 225 | Extension for reply within second month | |
| 1253 | 1,020 | 2253 | 510 | Extension for reply within third month | |
| 1254 | 1,590 | 2254 | 795 | Extension for reply within fourth month | |
| 1255 | 2,160 | 2255 | 1,080 | Extension for reply within fifth month | |
| 1401 | 500 | 2401 | 250 | Notice of Appeal | |
| 1402 | 500 | 2402 | 250 | Filing a brief in support of an appeal | |
| 1403 | 1,000 | 2403 | 500 | Request for oral hearing | |
| 1451 | 1,510 | 2451 | 1,510 | Petition to institute a public use proceeding | |
| 1460 | 130 | 2460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 1809 | 790 | 1809 | 395 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 790 | 2810 | 395 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| Other fee (specify) _____ | | | | | |
| SUBTOTAL (2) (\$) | | | | | |

SUBMITTED BY*Complete (if applicable)*

| | | | | | |
|-------------------|---|--------------------------------------|----------|-----------|----------------|
| Name (Print/Type) | Joseph Lutz | Registration No. (Attorney/Agent) | 43,765 | Telephone | (310) 207-3800 |
| Signature |  | Date | 04/25/06 | | |

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (v. 12/15/2004)
SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1480

**FEE TRANSMITTAL
for FY 2005**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT**

(\$)

Complete If Known

| | |
|----------------------|--------------------------|
| Application Number | 09/992,881 |
| Filing Date | November 5, 2001 |
| First Named Inventor | Christopher B. Wilkerson |
| Examiner Name | Meonske, Tonia L. |
| Art Unit | 2183 |
| Attorney Docket No. | 42390P11933 |

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☐ Check ☐ Credit card ☐ Money Order ☒ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

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☒ Charge any additional fee(s) or underpayment of fee(s) ☐ Credit any overpayments

under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

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| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
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| 1809 | 790 | 1809 | 395 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 790 | 2810 | 395 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| Other fee (specify) _____ | | | | | |
| SUBTOTAL (2) | | | | | (\$) |

SUBMITTED BY

Complete (if applicable)

| | | | | | |
|-------------------|---|--------------------------------------|----------|-----------|----------------|
| Name (Print/Type) | Joseph Lutz | Registration No. (Attorney/Agent) | 43,765 | Telephone | (310) 207-3800 |
| Signature |  | Date | 04/25/06 | | |

Based on PTO/SB-17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (Wt), 12/15/2004.
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APR 25 2006

REPLY UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER

Our Ref. No.: 42390P11933

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|----------------------------------|---|-----------------------------|
| In re Patent Application of: |) | |
| |) | Examiner: Meonske, Tonia L. |
| Christopher B. Wilkerson |) | |
| |) | Art Unit: 2183 |
| Application No.: 09/992,881 |) | |
| |) | |
| Filed: November 5, 2001 |) | |
| |) | |
| For: SYSTEM AND METHOD TO BYPASS |) | |
| EXECUTION OF INSTRUCTIONS |) | |
| INVOLVING UNRELIABLE DATA |) | |
| DURING SPECULATIVE EXECUTION |) | |
| |) | |

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

Mail Stop AF
Commissioner for Patents
P. O. 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Final Office Action mailed January 25, 2006, Applicant respectfully requests entry of the following amendments and seek reconsideration in view of the following remarks.